

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JAMES D. MACIEL,

Plaintiff,

No. CIV S-02-0144 DFL JFM P

vs.

V. SANCHEZ, et al.,

Defendants.

ORDER

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Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local General Order No. 262.

On September 9, 2005, the magistrate judge filed findings and recommendations herein which were served on plaintiff and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within twenty days. The findings and recommendations specifically provided that no extensions of time would be granted. On October 3, 2005, plaintiff filed a request for an extension of time to file objections.¹ After review of the

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¹ The request for extension of time and the certificate of service appended thereto are dated September 24, 2005. The reason for the nine day delay between that date and the date on which the document was filed in this court is not apparent.

1 record herein, and good cause appearing, plaintiff's request for an extension of time to file
2 objections will be denied.

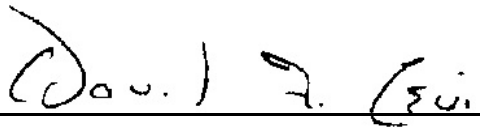
3 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule 72-
4 304, this court has conducted a de novo review of this case. Having carefully reviewed the entire
5 file, the court finds the findings and recommendations to be supported by the record and by
6 proper analysis.

7 Accordingly, IT IS HEREBY ORDERED that:

8 1. Plaintiff's October 3, 2005 request for an extension of time is denied;
9 2. The findings and recommendations filed September 9, 2005, are adopted in
10 full; and

11 3. This court finds that plaintiff's proposed second amended complaint contains
12 no cognizable claim for relief under 42 U.S.C. § 1983 and this action shall therefore remain
13 closed.

14 DATED: 11/11/2005

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18 DAVID F. LEVI
United States District Judge

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